

EXTERNAL CORRESPONDENCE

The City Clerk's Office received
the attached correspondence regarding
**Agenda Item #6-A on the
1-6-15 City Council Agenda**

Lara Weisiger - Del Monte

From: Vicki Sedlack <vsedlack@gmail.com>
To: <tspencer@alamedaca.gov>, <fmatarrese@alamedaca.gov>, <tdaysog@alamedaca.gov>
Date: 12/30/2014 2:45 PM
Subject: Del Monte
CC: <lweisiger@alamedaca.gov>

Dear Members of the Alameda City Council,

After more than a decade there is finally a viable plan to revitalize the iconic Del Monte warehouse and make it an asset not just for the immediate neighborhood but for all of Alameda. The process to develop a plan worked as it should with dozens of community meetings over many months to gather input from Alamedans. Community members, the city and the developer worked together to come up with compromises to address neighborhood concerns. The resulting agreement is the culmination of a true community process.

This plan does so much more than revitalize an old building. It provides needed housing, takes big rigs off neighborhood streets, completes a long-overdue truck route, opens up waterfront access, generates needed funds to develop Jean Sweeney park, and provides amenities we all can enjoy.

A council rescission of its approval of the Master Plan and Development Agreement would negate all the hard work the community has put into this project and would only delay the process and put the whole project in jeopardy. It is clear that the community wants this project to move forward so please uphold the decision, respect the process, and allow this project to move forward.

Sincerely,

Jim and Vicki Sedlack

--

Vicki Sedlack
vsedlack@gmail.com

Lara Weisiger - Del Monte building

From: Kathryn Duke <kathryn.saenz.duke@gmail.com>
To: <tspencer@alamedaca.gov>
Date: 1/3/2015 6:53 AM
Subject: Del Monte building
CC: <jrusso@alamedaca.gov>, <lweisiger@alamedaca.gov>

Dear Mayor Spencer,

Five years ago I voted against the SunCal ballot initiative. Not because there were parts of the SunCal plan I didn't like (which there were), but because I believed the initiative gave too much of our city's oversight and decisionmaking power to the developer.

Now our city's elected officials and staff have done Alameda's "due diligence" for many years regarding the historic Del Monte building: reviewing, discussing, and adjusting a thoughtful proposal to revive a historic building and bring housing, retail, and waterfront access to our community, while also helping with the Jean Sweeney Park and extension of Clement Avenue. I believe this is an example of our city taking appropriate control of our future by proactively working with diverse groups to respond to the changing economic and political dynamics that affect us.

Does the Tim Lewis Community plan satisfy everyone in the community? No.

Will any proposed development plan do so? Certainly not.

Has it had enough public review, discussion, and adjustment to be allowed to proceed?, Yes.

Please do not delay and risk derailing the ongoing process of planning and then acting on the revival and reuse of the Del Monte Building. We must be proactive in responding to the larger forces that can either undermine or improve our wonderful island community.

Thank you for being thoughtful about our future,

Kathryn Sáenz Duke

Lara Weisiger - Del Monte Project - Recision a Bad Idea and Sends the Wrong Message

From: Nik Dehejia <ndehejia@gmail.com>
To: <tspencer@alamedaca.gov>, <fmatarrese@alamedaca.gov>, <tdaysog@alamedaca...>
Date: 1/4/2015 9:35 PM
Subject: Del Monte Project - Recision a Bad Idea and Sends the Wrong Message

Dear Mayor Spencer; Vice-Mayor Matarrese; City Council Members Ashcraft, Daysog, and Oddie; City Manager Russo; and City Clerk Weisiger:

A plan for the Del Monte Warehouse was approved by City Council on December 16th after 12 public hearings over nearly a year and countless meetings with community members. I attended one of those early public meetings and was excited to hear of the positive changes coming to this part of the Island. The project benefits are documented: jobs, much needed housing (including affordable units), neighborhood-serving shops and restaurants, millions in public benefits, and a restored waterfront to the middle of the island. This project rightfully should be moving ahead.

I was disappointed to see that this matter is before the Council once again this coming Tuesday. Never mind that the plan was reviewed and approved at multiple levels. Are some on the new Council playing by different rules? Rules that care less about process, community input, or even fairness. Or are they trying to “send a message” to developers and those of us who support smart growth on the Island. Is this message that in Alameda, a deal is not a deal? If a newly elected body doesn’t like what’s been done, they will just undo it without cause. So developers, entrepreneurs and businesses will think twice about coming to Alameda. Tenants will have a harder time finding places to rent and prices will increase for prospective homebuyers. Everyone will be priced out or shut out.

With all due respect, the new council should be concerned with new projects coming before it for consideration, not overturning decisions of the previous administration! Is this the message Alameda wants to send?

Let’s not be fearful of change. We can help our community continue to thrive and grow and **we can have both our paradise and progress in Alameda.**

Nik Dehejia
ndehejia@gmail.com
Alameda Resident

Lara Weisiger - FW: URGENT: Proposed Ordinance re: Del Monte Project

From: Janet Kern <jkern@AlamedaCityAttorney.org>
To: Lara Weisiger <LWEISIGER@alamedaca.gov>
Date: 1/5/2015 11:05 AM
Subject: FW: URGENT: Proposed Ordinance re: Del Monte Project
Attachments: LWVA final final Amended Letter to City Council January 6 2015.doc

Janet C. Kern
City Attorney
City of Alameda
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From: Felice Zensius [mailto:felicez@ymail.com]
Sent: Monday, January 05, 2015 9:10 AM
To: Janet Kern
Subject: URGENT: Proposed Ordinance re: Del Monte Project

To: Janet Kern, City Attorney
From: League of Women Voters Alameda
January 5, 2015

We are writing to you today to express our serious concerns about the City Council's planned action tomorrow night to repeal Ordinance No. 3116 which approved development of the Del Monte warehouse.

We believe that the repeal violates both the existing Sunshine Ordinance and possibly sections of the City Charter. In that regard we have attached our arguments to you for your perusal. We take no position on the project itself, but as a League we are extremely concerned that it violates long held open government and transparency provisions.

The new Council campaigned on open government and we do not believe this is a

good start in that direction. We are asking you to circulate the attached to the Council in closed session so they might decide to take it off the agenda for tomorrow night and proceed correctly and lawfully with full information and disclosure. If they do plan on rushing this repeal in an untimely manner and without public input, we will of course have to testify at the open hearing.

We hope they would reconsider this hastily drafted action and give the public time to respond according to our existing codes.

You can certainly contact us if you have any questions. Our emails are felicez@ymail.com and Katequick@comcast.net.

Felice Zensius and Kate Quick Co-Presidents

January 5, 2015

Honorable Mayor Herrera Spencer and Members of the Council:

The League of Women Voters values open government and transparency as do all of you. Our comments are not in the nature of support or opposition to the Del Monte Project, but to the apparent lack of adherence of your proposed action to the provisions of the Sunshine Ordinance and possibly three Sections of the City Charter. Specifically our concerns are in reference to items 3A (closed session) and 6A (regular session) on the January 6, 2015 agenda of the Alameda City Council as follows:

1. Non-Compliance with the Sunshine Ordinance:

Section 2-91.5 of Alameda's Sunshine Ordinance requires that:

e. All documents material to an agenda item must accompany the agenda.

At a bare minimum, a reasonable citizen would expect there to be copies of the ordinances proposed for repeal in addition to a staff report explaining why these ordinances are being proposed for repeal. How can the public prepare its arguments with no information?

The League believes that this item on the agenda is materially out of compliance with the city's sunshine ordinance as no attachments to it can be found on either the closed session or regular meeting agendas posted for the public to review in hard copy or on-line. Additionally, the hard copy material at the Library does not match the online material. This is extremely important as neither set of documents include any information on item 6A except for the copies of the original ordinances to be repealed.

2. Non Compliance with the Charter:

Sec. 3-11. ". . . No ordinance shall be passed by the Council within five days after its introduction, except as provided in the following section." (Emergencies)

Our question: Does this new Ordinance meet the test of a true Emergency?

Sec. 3-13. No ordinance shall be re-enacted or amended by reference to its title only, or without setting forth the amended or re-enacted sections or sub-sections thereof in full.

In the past when the Council has considered amending or repealing an ordinance, they have posted far more than copies of just the affected ordinances. A recent example of that can be found in File 2014-615 dated 7/1/2014 titled: Updating City Development Impact Fees. The League believes that this requirement has not been met.

Sec. 3-14. Before final adoption of an ordinance, its title, a digest thereof, a notice showing the date, time and place of hearing on its final adoption, and notice that three full copies thereof are available for use and examination by the public in the office of the

City Clerk, shall be published once in the Official Newspaper of the City at least three days before said hearing date.

Considering the timing of the Ordinance rescinding the recently adopted Ordinance it would appear that this requirement will not be able to be met.

The League of Women Voters of Alameda would like to suggest that the Council withdraw the proposed Ordinance rescinding the recently passed Ordinance regarding the Del Monte Property until the matter can be adequately and transparently noticed to the public and meet the requirements of both the Sunshine Ordinance and the cited provisions of the City Charter.

Respectfully submitted,

Felice Zensius and Kate Quick, Co-Presidents
League of Women Voters of Alameda



www.bikewalkalameda.org

(510)595-4690

PO BOX 2732

ALAMEDA, CA 94501
January 3, 2015

Alameda City Council

Alameda, CA 94501

Re: 6-A 2015-1178 Del Monte Warehouse Project

Council Members:

Bike Walk Alameda is encouraging you NOT to repeal the approval of the Del Monte Development Plan.

Hundreds of Alamedans participated in 12 public hearings over the last nine months. Many options were considered and the project evolved with the help of the public, the local neighborhood and community groups, like Bike Walk Alameda. Those hundreds and many more Alamedans who chose to be involved in the process see it as a winning development for current and future Alamedans.

Before you make this decision, there are two things to considered:

1. What is the point of having an engagement process with community and commission meetings, if the decisions can be repealed without reason. There is a learning process to every project. As well as upsides and downsides. Those who have been involved recognize the benefits of the Del Monte Warehouse Development:
 - Clement Avenue Extension creates a through bicycle and walking corridor from Grand Street to Jean Sweeney Open Space and beyond along the northern waterfront. This access is part of the Cross Alameda Trail which is a high priority in the Bicycle Master Plan. It is a link in a biking and walking corridor from Alameda Point to Fruitvale BART,
 - \$2 million helps construct the Jean Sweeney Beltline Open Space Park, continuing the Cross Alameda Trail,
 - Provides never-before waterfront access to Morton, Benton and Jay Streets which enhances the surrounding neighborhoods.
2. If the project approval is repealed, the city council should be prepared to answer how these projects will ever be built. Clement Avenue extension has been envisioned for over 10 years to include the Cross Alameda Trail and reduce the truck traffic in the Buena Vista neighborhood.

I was stunned to see an agenda item with no staff report. There is no information in the agenda item from which to make a decision. The council, staff and public need to know what impacts there will be if the project is repealed:

- What is the potential financial impact?
- What funds would be required for the build out of Clement Avenue extension and the Cross Alameda Trail without a development project?
- Where will the city obtain \$2 million for the Jean Sweeney Open Space Park?
- What is the cost to the neighborhoods of more significant decline in the Del Monte Warehouse?

Thank you.
Sincerely,

Lucy Gigli, Director of Advocacy, Bike Walk Alameda

Lara Weisiger - Move Del Monte Project Forward--Don't Go Backwards

From: Jon Spangler <jonswriter@att.net>
To: Trish Herrera Spencer <tspencer@alamedaca.gov>, Frank Matarrese <fmatarr...>
Date: 1/5/2015 9:57 PM
Subject: Move Del Monte Project Forward--Don't Go Backwards
CC: John Russo <JRusso@ci.alameda.ca.us>, Alex Nguyen <ANguyen@alamedaca.gov...>

Dear Mayor Spencer, Vice-mayor Matarrese, members of the City Council, and staff,

The Tim Lewis Communities proposal for the Del Monte warehouse that was approved by the City Council in December 2014 should go forward: it was fully vetted in many public meetings, and should go forward, even with only 381 units overall.

As approved, the TLC plans describe a nearly ideal transit-oriented development that is sustainable (green), helps reduce traffic congestion, will help improve bus service to the Northern Waterfront, and provides 55 units of much-needed affordable housing for renters and homeowners.

In addition, the TLC project is the first viable historic preservation plan for the Del Monte that has ever made it to the City Council in over 20 years—longer than I have lived in Alameda.

The \$128 million cost of this project represents a huge economic boost to Alameda, including millions of dollars to help develop the Jean Sweeney Open Space Preserve. I cannot fathom why any reasonable person would try to torpedo a project that offers so many benefits to the City of Alameda. The current Del Monte project will be another LEED-certified landmark project like the new Alameda Free Library and the Alameda Theatre that we can all be proud of for generations to come.

Unfortunately, if approval is withdrawn for this project, the City of Alameda could face the prospect of legal action by TLC: defending against a lawsuit would be a complete waste of scarce city funds.

Renters and prospective future homeowners like me need more projects like the approved Del Monte project by TLC, not a blind and unthinking return to the housing and land use patterns that have given us traffic congestion, blighted and empty historic buildings, gridlock, and too little progress in reducing Alameda's carbon footprint.

Alameda cannot afford to go backwards: keep the Del Monte renovation and reuse project on track.

Please act responsibly for Alameda's future, which is my future: let's move forward with the Del Monte project.

Respectfully submitted,

Jon Spangler
2060 Encinal Avenue
Apt B
Alameda, CA 94501

Writer/editor

Linda Hudson Writing

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www.linkedin.com/in/jonmspangler

www.twitter.com/jonmspangler

"The bicycle is just as good company as most husbands and, when it gets old and shabby, a woman can dispose of it and get a new one without shocking the entire community."

— Ann Strong — 1895

Lara Weisiger - Del Monte

From: Kristoffer Köster<kkoster79@gmail.com>
To: "tspencer@alamedaca.gov" <tspencer@alamedaca.gov>, "fmatarrese@alamedaca...
Date: 1/6/2015 12:06 AM
Subject: Del Monte

Dear Mayor Spencer, Vice Mayor Mataresse, Members of the Council and City Staff,

As a member of the Planning Board I urge the new council to support the decision that was made unanimously by the Planning Board to approve the Del Monte project. I support the Del Monte project and here's why:

- The Del Monte site is a city landmark building and the only way to preserve the buildings facade is with sensitive development that restores the structure to its former glory. If we were tearing down this building in favor for homes like Bay Port or Marina Village then I would be completely against this project - but through this developer agreement we are able to restore and breathe new life into a decaying building and preserve it for generations to come.

- This project removes truck traffic generated by its being a storage facility. Normally when one drives by the building it looks pretty empty as if it has no impact on the neighboring community. But if you frequent Buena Vista enough or talk to the residential community around it, that's not the case. The building generates quite a exuberant amount of truck trips - ones that help congest our bridges and tunnels. Serious truck traffic where the building looks like a train with box cars have pulled up alongside it when they are due to off load. (See images below)



- This project would also create a great mix of uses all under one roof. With 30,000 sf of retail (personally I wouldn't mind seeing more or even requiring more ground units to be Live/work lofts, as I stated at a Planning Board meeting) along with a good mix of 1-2-3 bedroom units. The project provides a great diversity of housing types and various price points that are not found elsewhere in Alameda. A city where recently it was stated that the average home sells for \$740,000 - and has current issues with rising rents - along with a depleted housing stock - how can entry level families afford to live?

(<http://www.zillow.com/alameda-ca/home-values/>) Along with this, the project creates 55 affordable units - there was 20% affordable units of the total housing originally planned, however part of those units were on city land that was not granted to the developer to purchase at this time. If 14.5% isn't enough then I'm fine with request more be provided within the 380 to a total of 76 units affordable or 20%.

- Fees for parks and Schools. It is well known that this project would be the catalyst to unlocking more funds to see Jean Sweeney Open Space Park become a reality rather than a pipe dream. The park needs to get some much needed ground funding to even begin to go after future funding and larger grants. Today's grant programs require that projects have multiples sources of funding and that a percentage of each grant must be raised by the group receiving the grant. As a member of the steering committee as

well as having drawn the master plan for the park Pro Bono for the city of Alameda I would urge you to keep promises made by your campaign to help fund these programs and others in the city. The developer has also agreed for funding for schools along with further funds for other parks in the nearby vicinity, which is a huge win for the community and the island.

-With the issues of cars and transit. I was very much in favor of unbundling the cars from the project and making it more transit dependent - however many people didn't agree with this idea and that is fine. The project is able to store plenty of cars on site if needed and still be able to rent out left over spaces. It is my hope that a project of this size would attract young Bay Area families who currently live without a car and could easily adapt to our island life. That in itself is a huge feat that many other projects have trouble solving. The project provides transit passes on day one with shuttles to Bart- would be great if they went to ferry too. In the future a transportation demand management from AC transit to increase service should this project and others be completed along the water front. None of which will happen if this catalyst doesn't occur - leaving other projects and people who live in the area only reliant on cars. The program already includes a few car share spots that can be increased by the Planning Board in our yearly review of what works and doesn't work, which provides me with a comfortable assurance that any issue can be resolved.

-Finally the design of this project will really raise the bar high in terms of what an excellent example of multi family housing should be like in Alameda. Just like when the City/Planning Board and Council took a chance on VF Factory Outdoors facility and allowed them to be an exemplary project for future projects to emulate and really set the bar high. It's makes everyones lives better when you have a shining example you can be proud of to show how development is supposed to be and hold other developers to the same or higher standards of care.

Without projects such as Del Monte, we will continue to get small parcel projects that do not do anything but build a few houses on them and sell them above market rate and move onto the next project. This project will be a catalyst for the Northern Waterfront, for guiding principles at Alameda Point and set the bar high for future development on the Island of Alameda as a whole.

One can argue that everything on this project is not perfect. But nothing is ever perfect. Our City Hall which you sit in tonight isn't perfect, but it sure is better than what other cities in California have. One has to weigh the cost of the benefits against the cost of the impacts. I'm sure you too can agree that this project has a ton of benefits and I hope that you can uphold the will of the neighbors, the planning board, city staff and the countless hours of community meetings that have taken place to bring this wonderful project before you tonight.

Sincerely-

Kristoffer Köster, Planning Board Member, Architect and LEED AP.







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CGI/A CGIWI

Lara Weisiger - Del Monte Warehouse_ Item 6a on the City Council meeting tonight

From: "Sue McIntire" <suemcintire@mail.com>
To: <clerk@ci.alameda.ca.us>
Date: 1/6/2015 7:33 AM
Subject: Del Monte Warehouse_ Item 6a on the City Council meeting tonight

Dear Ms. Weisiger

I would like to get an urgent message to the Mayor and City Council regarding Agenda item 6a of the January 6 2015 Council meeting. I don't understand why there is no time allotment for public comment on a matter with so much community discord.

To Mayor Spencer and the City Council of Alameda:

My name is Sue McIntire. I am a homeowner and have lived 1 block west of the Del Monte Warehouse for 12 years. I fully support the plan as approved to develop the warehouse. We have lived far too long with this blight. I am very much looking forward to living in a revitalized neighborhood. There were compromises made on both sides to get to this plan and if we wait for perfection we will be living with this barbed-wire nightmare forever.

If the new mayor or any city council members believe that they were elected to stop all development they are wrong. I voted for Mayor Spencer as did others I know for one reason, the mishandling by the former administration of the Crab Cove land dispute. I, like so many other Alamedans can distinguish between good development and bad. The reuse of the historic Del Monte Warehouse is a good project. Some of the other residential projects around the island may not be. If it is stopped by the current mayor and City Council I assure you I will not vote for any of them again.

Sue McIntire
1821 Bay St.
Alameda, CA 94501

Lara Weisiger - FW: Del Monte Project

From: Janet Kern <jkern@AlamedaCityAttorney.org>
To: Lara Weisiger <LWEISIGER@alamedaca.gov>
Date: 1/6/2015 1:02 PM
Subject: FW: Del Monte Project

Janet C. Kern
City Attorney
City of Alameda
2263 Santa Clara Avenue, Room #280
Alameda, CA 94501
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jkern@alamedacityattorney.org

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From: Felice Zensius [mailto:felicez@ymail.com]
Sent: Tuesday, January 06, 2015 12:59 PM
To: Janet Kern
Subject: Del Monte Project

To: Janet Kern, Alameda City Attorney
From: League of Women Voters Alameda
January 6, 2015

We wish to thank you for your prompt reply. You are right, we misunderstood the nature of the intended action, and if it is simply an introduction of an ordinance, our comments under the City Charter issues do not apply. We will not be speaking on those.

However we believe the lack of any information for the public other than your posting of these Ordinances and attaching them to the agenda, is insufficient to the spirit of transparency and contrary to the Sunshine Ordinance.

Specifically, there are no staff reports. Who made the referral? On what factual information was the rescission information based? What are the impacts of the rescission? How will this impact the City's Master Plan? What will replace the loss of funds to improve the Jean Sweeney Open Space so it can be used by the public? Will this action likely result in a law suit from TLC? What might the cost of that be to the City? (We know that that is

under consideration as it is on the agenda for the closed session.) While the lawsuit information is appropriately going to be considered in closed session the fact that it might have a serious fiscal impact should be revealed so the public can comment appropriately on it.

Once again, we are not taking any position on the Del Monte project itself. Our new Mayor campaigned on transparency and open government and the above issues are all serious concerns to an involved public some of whom have been working on both sides of this issue for nearly five years.

Sincerely,

Felice Zensius and Kate Quick
Co-Presidents

January 6, 2015

Janet Kern
Office of the City Attorney
City of Alameda
2263 Santa Clara Avenue, Room 280
Alameda, CA 94501

Re: January 6, 2015 City Council Agenda Item 6-A and 6-B
Introduction of Ordinances Repealing Ordinance No. 3316 and No. 3315

Dear Janet:

I understand that the City of Alameda ("City") City Council ("City Council") has scheduled for its upcoming meeting of January 6, 2015 the introduction of two ordinances which would repeal Ordinance No. 3316 approving the Del Monte Warehouse Project Development Agreement and Ordinance No. 3315 approving the Del Monte Warehouse Master Plan and Density Bonus Application.¹

On behalf of my client, the project sponsor, TL Partners I, LP ("TL Partners"), we object to the City Council's efforts to repeal the Project Approval Ordinances, and urge the City Council to uphold the Project Approval Ordinances it granted last month on the basis that any repeal would violate the City's Charter and Sunshine Ordinance, as well as State Planning and Zoning Law, including housing laws of statewide importance.

First and foremost, the Repealing Ordinances do not include any information whatsoever indicating upon what basis the City Council intends to reverse its Project Approval Ordinances – should it even consider doing so. Section 2-91.5(e) of the City's Sunshine Ordinance expressly requires:

"All documents material to an agenda item must accompany the agenda."

The City released the Repealing Ordinances without *any* documents material to the requested rescission, which violates its Sunshine Ordinance. The City's failure to identify any reasons for its proposed actions prevents the applicant and the public from objecting specifically to any (undisclosed) documents or rationale that purportedly support the Repealing Ordinances. We note that the only information the City did provide is an acknowledgement in the Repealing Ordinances that the Council introduced and passed the Project Approval Ordinances at its meetings of December 2nd and December 16th. This basic acknowledgement offers no justification for the City Council to

¹ Ordinances No. 3315 and No. 3316 are referred to as, the "Project Approval Ordinances" and the pending ordinances to repeal Ordinances No. 3315 and 3316 are referred to as, the "Repealing Ordinances."

BuchalterNemer

Janet Kern
January 6, 2015
Page 2

consider—much less act on—a proposal to rescind the prior Project Approval Ordinances.

Second, the lack of any findings to support a decision to deny the Del Monte Project (particularly after having approved the project three weeks ago) violates State housing laws, including the Housing Accountability Act. The Repealing Ordinances include no information or written findings of any sort that might explain why the City must deny the Del Monte Project (a multi-family housing development) (see e.g., *Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1070; Gov't Code §65589.5).

Additionally, the City Council never provided any written findings based upon substantial evidence that the density bonus, or any concessions or incentives must be rejected because the density bonus or concessions or incentives are not necessary to achieve an affordable housing cost, or because the concessions or incentives would have a specific adverse impact. Indeed, the unrebutted information in the City's record concludes to the contrary that the Project needs the density bonus, concessions and incentives in order to provide for a feasible affordable housing development. No information indicates that the Project must be denied due to a specific adverse impact (see e.g., Gov't Code §65915). We can only conclude from the City's record that the City has failed to provide any information material to the Repealing Ordinances and necessary to justify a denial of the Project because that information does not exist.

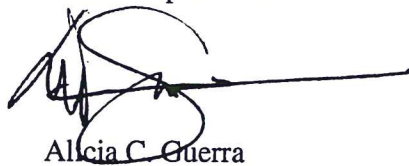
For all of these reasons, we respectfully request that the City Council reject the Repealing Ordinances. We are concerned that any decision by the City Council to move forward with the Repealing Ordinances would result in serious violations of the City's own administrative procedures, State Housing Laws and basic due process rights.

TL Partners appreciates your careful review of this project, and looks forward to continuing its working relationship with the City and the successful development of the Del Monte Project.

Very truly yours,

BUCHALTER NEMER
A Professional Corporation

By



Alicia C. Guerra

- cc: Mayor Trish Spencer and Members of the City Council
- Office of the City Clerk
- John Russo
- James Meek
- Jessica Grossman
- Mike O'Hara
- Andrew Sabey, Esq.

Lara Weisiger - Council item 6-A Jan 6, 2015

From: "Jerry Serventi" <jerryserventi@sbcglobal.net>
To: <tdayso@alamedaca.gov>, <mezzyashcraft@alamedaca.gov>, <tspencer@alamed...>
Date: 1/6/2015 1:54 PM
Subject: Council item 6-A Jan 6, 2015
CC: <lweisiger@alamedaca.gov>, <manager@alamedaca.gov>, "Andrew THOMAS" <A...>
Attachments: Letter on Council Agenda Item 6-A Jan-6-2015 J Serventi.docx

Mayor, Vice-Mayor and Council

I am sending the attached letter to voice my comments on Item 6-A at tonight council meeting. I had planned to attend but am now unable and wanted to send my comments. Hopefully they are not too late for to be considered.

Thank you for the opportunity.

Jerry Serventi
1549 Fifth St
Alameda, CA 94501

510-769-0391 (H)
510-388-3509 (C)

To: Mayor Trish Spenser,
Vice Mayor Frank Matarrese
Council member Jim Oddie
Councilmember Tony Daysog
Councilmember Marilyn Ezzy Ashcraft

From: Jerry Serventi 1549 Fifth St Alameda CA

Date: 6 January 2015

Subject: Council Item 6-A 2015-1178 Introduction of Ordinance Repealing Ordinance No. 3116 which Approved Development Agreement by and Between the City of Alameda and TL Partners, I,LP Governing the Del Monte Warehouse Project for the Real Property Located at the Northeast Corner of the Intersection of Sherman Street and Buena Vista Ave ETC

I am speaking tonight to voice my concern over this Ordinance that would undo the culmination of work that took months and numerous public meetings to reach the conclusion approved in the Ordinances that were passed in December 2014.

I understand the need to make sure that the growth of the City of Alameda is done properly. I believe that is what occurs when it takes as long as it has to accomplish what was finally approved in December 2014 for this project. I have lived in the west end since 1989 and am well aware of the traffic around town and getting on and off the Island. I have seen it high then go down when the Navy left and then yo-yo up and down as the regional economy goes up and down. This project though it will add homes both market rate and affordable and commercial space and thus new traffic to town it will also be removing the worst kind of traffic - 40-45 foot tractor/trailer trucks. These trucks go to and from the site to the Tubes and at times to Park Street. This occurs at various times during the day including rush hour. The trucks are so much worse than cars that we should be excited that they are going away.

Another part of the project that is important is the rehabbing of the historic building. In a town that prides itself in its historic buildings it is exciting that someone finally after all these years has the wherewithal to economically redo the building so that it can be saved.

Rather than stop projects that have been approved and will be bring additional life to our City I would recommend that you have staff go over the City of Alameda's General Plan in a public meeting. They could then explain where there are development opportunities and what the impacts are to all public facilities: parks, utilities, transportation infrastructure (including traffic impacts) schools etc. were all possibilities built out. To me that would be the mechanism to determine what our growth should be and if changes need to be made.

In closing I recommend a no vote on this proposed ordinance

Lara Weisiger - FW: Del Monte Project

From: "Christopher Buckley" <cbuckleyaicp@att.net>
To: <lweisiger@alamedaca.gov>
Date: 1/6/2015 2:01 PM
Subject: FW: Del Monte Project
Attachments: 2014-6-4DelMonteBuildingHAB.CrrctdFnl.pdf; 2014-6-5DelMonteBldgWthStoryPoles 001.jpg; 2014-6-5DelMonteBldgWthStoryPoles 003.jpg

Hi Lara,

I tried to "cc" you last night on this, but it bounced back because I got your email address wrong. So I am now resending it.

Chris

From: Christopher Buckley [mailto:cbuckleyaicp@att.net]
Sent: Monday, January 05, 2015 11:28 PM
To: tspencer@alamedaca.gov; fmatarse@alamedaca.gov; tdaysog@alamedaca.gov; mezyashcraft@alamedaca.gov; joddie@alamedaca.gov
Cc: dpotter@alamedaca.gov; 'Andrew THOMAS'; lweisinger@alamedaca.gov
Subject: Del Monte Project

Dear Mayor Spencer and Councilmembers,

Attached is a letter dated 6-4-14 that AAPS sent to the Historical Advisory Board and photos of story poles that indicate the height of the new structures to be built within the historic Del Monte Building's envelope. Although a majority of the Historical Advisory Board did not support the recommendations in AAPS's 6-4-14 letter to the Board, we believe that the letter may still assist the City Council's consideration of the Del Monte project at your January 6, 2015 meeting.

One of AAPS's major concerns regarding the proposed project was the height of the new structures as indicated by the story poles. In addition to the mitigations presented in Item 1 of AAPS's 6-4-14 letter, Boardmembers discussed the possibility of reducing the new structures' height by 4-5' using the following techniques:

1. Lowering the garage slab further;
2. Removing the parapet;
3. Reducing the ceiling height of the basement parking level;
4. Reducing the thickness of the roof framing; and
5. Reducing upper floor ceiling heights by at least several inches.

However, there was insufficient support on the Board to pursue these techniques with the applicant.

Please contact me at (510) 523-0411 or cbuckleyAICP@att.net if you would like to discuss these comments.

Christopher Buckley, President
 Alameda Architectural Preservation Society



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FRANK STREET



June 4, 2014
(Corrected)

By Electronic Transmission

City of Alameda
Historical Advisory Board
2263 Santa Clara Avenue
Alameda, CA. 94501

Re: Del Monte Warehouse Project

Dear Board Members,

The Alameda Architectural Preservation Society (AAPS) would like to thank the applicant for responding to many of the recommendations that we submitted in our April 2, 2014 letter. We note that the story poles have been installed to illustrate the height of the proposed addition.

Based on the revised plans, the information in the staff report, and the story poles, we have the following comments:

1. **Investigate strategies to lower the height of the addition.** We were surprised to see from the story polls that the addition is more visible than we originally expected, notably from along Buena Vista Avenue. (See attached photographs.) We therefore recommend that the following measures be considered to lower the height:
 - a) Reduce the floor-to-~~ceiling~~floor height of each upper floor from the proposed 10' 3" to 9' 3" or less.
 - b) Use a pitched roof sloping north and south for at least the front portion of the north and south walls of the addition to reduce the height and building mass along these walls. The building code allows for floor-to-ceiling heights along these walls to be as little as 5' 6" rather than the ~~proposed 10' 3"~~estimated 9' and, with a sloped roof, the additional 1' parapet could be eliminated. Windows along the reduced top floor walls could be taller through the use of dormers.
2. **Addition colors.** The proposed two-tone blue color scheme seems promising, but we need to see the actual colors before providing definitive feedback. Color samples should be provided before the HAB meeting to allow adequate time for review and feedback. In addition, mock-up panels showing the colors and measuring at least 6' by 6' should be mounted on top of the existing roof to allow evaluation of the colors under actual site conditions.
3. **Proposed resin panel rain screen on addition.** The applicant states that the proposed rain screen's 18" module will "create a fine grained appearance that references the texture and scale of the corrugated metal", but this is not apparent to us. Corrugated metal modules are typically about 2" rather than 18", i.e. much finer grained. We need to see

more detail to evaluate the rain screen, e.g. section details showing the cross section of the materials and distance of the rain screen from the walls.

4. **Addition fenestration.** The applicant states that the addition's fenestration will be a "deep set nail fin aluminum window system to create a deep shadow line that references the industrial sash windows in the base façade. The proportion of the windows has been changed to respond to the fine grain of the industrial sash windows." Although the windows have been changed so that there are more of them and so that the wider windows have been replaced by narrower windows, there is still very little relationship between the addition's windows and the original upper floor industrial sash windows. The relationship would be stronger if the addition's windows were wider than tall, more continuous and with multi lite panes.
5. **Canopies.** We are pleased that the originally proposed glass canopies have been changed to metal. However, is not clear why much of the original solid corrugated metal surfaces need to be replaced by perforated corrugated metal surfaces. Such replacement does not seem consistent with the Secretary of the Interior's Standards, which promotes retaining or visually matching character-defining elements whenever possible. Moreover, the perforations will allow entry of rainwater, which is inconsistent with the weather protection function of the canopies.
6. **New infill within existing rollup door openings.** The proposed 8" recess of the glazed infill from the surrounding brick wall surfaces is good. However, the infill pattern still does not relate adequately to the industrial character of the building, since the infill consists of relatively large glaze panels in contrast to the multiple lite industrial sash above. A finer grained fenestration pattern for the infill would be helpful. Section details through the infill are also needed to determine that the dimensions and appearance of the infill styles, rails and mullions, which should have a delicate quality similar to the industrial sash.

Thank you for the opportunity to comment. Please contact me at (510)523-0411 or cbuckleyaicp@att.net if you would like to discuss these comments.

Sincerely,

Christopher Buckley, President
Alameda Architectural Preservation Society

Attachments: Photographs of Del Monte Building with story poles

Cc: Andrew Thomas and Allen Tai
Planning Board
AAPS Board and Preservation Action Committee



Alameda-Contra Costa Transit District

David J. Armijo, General Manager

January 6, 2015

Mayor Trish Herrera Spencer
City of Alameda City Council
2263 Santa Clara Avenue
Alameda, CA 94501

RE: Del Monte Warehouse Master Plan

Dear Honorable Mayor and City Council:

Thank you for your continued coordination with AC Transit on projects and initiatives within the City of Alameda. If the City of Alameda proceeds with adopting the Del Monte Warehouse Master Plan, AC Transit will play an active role in providing transportation solutions to mitigate any identified traffic impacts resulting from the project. We acknowledge and are prepared to implement a reasonable level of transit service at the point the first residents would move in to the development.

In addition to providing direct service to the project, AC Transit plans to create a robust transit network that allows residents and employees to travel to multiple key destinations in Alameda, Oakland and San Francisco via public transit, including service to the Main Street Ferry Terminal. This network would reduce the need for private automobile use and reduce overall congestion, particularly through the City's tubes and bridges.

AC Transit is currently engaged in a Comprehensive Operations Analysis that will lay out a plan for service expansion and improvements for the next five years, including the City of Alameda. In fact, AC Transit completed a public workshop in Alameda in October to receive public input into this planning process.

The recent passage of Measure BB will help fund expanded service not only in Alameda but throughout the AC Transit District. Those operating dollars combined with developer fees will allow AC Transit to operate better service than what is required.

The details of AC Transit's preliminary proposals for providing additional and improved service in anticipation of the Del Monte Warehouse project include:

- **Line 51A** - Currently, one of AC Transit's most frequent services, the 51A, is a short distance to the project. It serves downtown Oakland and provides a frequent connection to 12th Street BART. AC Transit is currently in the construction phase for Santa Clara/Webster corridors to improve the speed and reliability for both of the 51A.
- **New Buena Vista Service** - To increase the availability of transit and better serve the Northern Waterfront, AC Transit is in the planning stages of restoring transit service to Buena Vista with a

line that would connect the Northern Waterfront with downtown Oakland and potentially Fruitvale BART. This line would operate at 15-minute frequency during peak periods and could satisfy the Del Monte developer's requirements to provide shuttle service.

- **Enhanced Transbay Service** – AC Transit acknowledges that Transbay service needs to expand in order to meet demand. This could mean larger buses, more frequency, and/or longer span of service. Since Transbay is considered regional service, new residents can walk to the O Line in Alameda provided it is reliable and not over-crowded. AC Transit is also exploring new Transbay service from Webster that residents can transfer to from improved local service.
- **EasyPass** - An additional benefit that encourage transit use among residents will be an EasyPass which is a transit pass for residents to have unlimited rides on local and express service.

AC Transit looks forward to working with the City to further develop and implement these proposals in order to provide a high-level of quality and sustainable transit service.

Sincerely,



David Armijo
AC Transit General Manager

CC: AC Transit Board of Directors
John A. Russo – City of Alameda City Manager

Lara Weisiger - RE: Del Monte

From: Dania Alvarez <danial@hbrinfo.com>
To: "tspencer@alamedaca.gov" <tspencer@alamedaca.gov>, "fmatarrese@alamedaca...
Date: 1/6/2015 5:00 PM
Subject: RE: Del Monte
CC: Köster, Kristoffer (kkoster79@gmail.com)<kkoster79@gmail.com>

Dear Mayor Spencer, Vice-Mayor Matarrese, Members of the Council and City Staff,

As a Planning Board Member, I would like to go on record to echo my fellow Planning Board Member Kristoffer Koster's eloquent words regarding the Del Monte project, although I was not in favor of the unbundled parking component of the project as it is not in line with current lifestyle patterns, nor was it supported by residents in the neighborhood.

I am placing my trust in the process, the system and outcome of tonight's meeting in your hands, hopeful that the project will continue.

Sincerely,
 Dania Alvarez
 Vice-President of the Planning Board, REALTOR®

From: Kristoffer Köster [mailto:kkoster79@gmail.com]
Sent: Tuesday, January 06, 2015 12:07 AM
To: tspencer@alamedaca.gov; fmatarrese@alamedaca.gov; tdaysog@alamedaca.gov; mezyashcraft@alamedaca.gov; joddie@alamedaca.gov; Andrew THOMAS; lweisiger@alamedaca.gov; Erin Garcia; NANCY McPeak; Mike Henneberry; Dania Alvarez; John Russo; anguyen@alamedaca.gov
Subject: Del Monte

Dear Mayor Spencer, Vice Mayor Mataresse, Members of the Council and City Staff,

As a member of the Planning Board I urge the new council to support the decision that was made unanimously by the Planning Board to approve the Del Monte project. I support the Del Monte project and here's why:

- The Del Monte site is a city landmark building and the only way to preserve the buildings facade is with sensitive development that restores the structure to its former glory. If we were tearing down this building in favor for homes like Bay Port or Marina Village then I would be completely against this project - but through this developer agreement we are able to restore and breathe new life into a decaying building and preserve it for generations to come.
- This project removes truck traffic generated by its being a storage facility. Normally when one drives by the building it looks pretty empty as if it has no impact on the neighboring community. But if you frequent Buena Vista enough or talk to the residential community around it, that's not the case. The building generates quite a exuberant amount of truck trips - ones that help congest our bridges and tunnels. Serious truck traffic where the building looks like a train with box cars have pulled up alongside

it when they are due to off load. (See images below)

- This project would also create a great mix of uses all under one roof. With 30,000 sf of retail (personally I wouldn't mind seeing more or even requiring more ground units to be Live/work lofts, as I stated at a Planning Board meeting) along with a good mix of 1-2-3 bedroom units. The project provides a great diversity of housing types and various price points that are not found elsewhere in Alameda. A city where recently it was stated that the average home sells for \$740,000 - and has current issues with rising rents - along with a depleted housing stock - how can entry level families afford to live?

(<http://www.zillow.com/alameda-ca/home-values/>) Along with this, the project creates 55 affordable units - there was 20% affordable units of the total housing originally planned, however part of those units were on city land that was not granted to the developer to purchase at this time. If 14.5% isn't enough then I'm fine with request more be provided within the 380 to a total of 76 units affordable or 20%.

- Fees for parks and Schools. It is well known that this project would be the catalyst to unlocking more funds to see Jean Sweeney Open Space Park become a reality rather than a pipe dream. The park needs to get some much needed ground funding to even begin to go after future funding and larger grants. Today's grant programs require that projects have multiples sources of funding and that a percentage of each grant must be raised by the group receiving the grant. As a member of the steering committee as well as having drawn the master plan for the park Pro Bono for the city of Alameda I would urge you to keep promises made by your campaign to help fund these programs and others in the city. The developer has also agreed for funding for schools along with further funds for other parks in the nearby vicinity, which is a huge win for the community and the island.

-With the issues of cars and transit. I was very much in favor of unbundling the cars from the project and making it more transit dependent - however many people didn't agree with this idea and that is fine. The project is able to store plenty of cars on site if needed and still be able to rent out left over spaces. It is my hope that a project of this size would attract young Bay Area families who currently live without a car and could easily adapt to our island life. That in itself is a huge feat that many other projects have trouble solving. The project provides transit passes on day one with shuttles to Bart- would be great if they went to ferry too. In the future a transportation demand management from AC transit to increase service should this project and others be completed along the water front. None of which will happen if this catalyst doesn't occur - leaving other projects and people who live in the area only reliant on cars. The program already includes a few car share spots that can be increased by the Planning Board in our yearly review of what works and doesn't work, which provides me with a comfortable assurance that any issue can be resolved.

-Finally the design of this project will really raise the bar high in terms of what an excellent example of multi family housing should be like in Alameda. Just like when the City/Planning Board and Council took a chance on VF Factory Outdoors facility and allowed them to be an exemplary project for future projects to emulate and really set the bar high. It's makes everyones lives better when you have a shining example you can be proud of to show how development is supposed to be and hold other developers to the same or higher standards of care.

Without projects such as Del Monte, we will continue to get small parcel projects that do not do anything but build a few houses on them and sell them above market rate and move onto the next project. This project will be a catalyst for the Northern Waterfront, for guiding principles at Alameda Point and set the bar high for future development on the Island of Alameda as a whole.

One can argue that everything on this project is not perfect. But nothing is ever perfect. Our City Hall

which you sit in tonight isn't perfect, but it sure is better than what other cities in California have. One has to weigh the cost of the benefits against the cost of the impacts. I'm sure you too can agree that this project has a ton of benefits and I hope that you can uphold the will of the neighbors, the planning board, city staff and the countless hours of community meetings that have taken place to bring this wonderful project before you tonight.

Sincerely-

Kristoffer Köster, Planning Board Member, Architect and LEED AP.

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